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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,462	11/07/2003	Sang Kyun Lee	1630-0833PUS1	8284
2292 7590 02/11/2011 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER CHEEMA, UMAR				
ART UNIT 2444		PAPER NUMBER		
NOTIFICATION DATE 02/11/2011		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/702,462

Applicant(s)

LEE ET AL.

Examiner

UMAR CHEEMA

Art Unit

2444

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date 08/28/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/09/2010 has been entered.

Response to Amendment

2. This communication is in response to the Request for Continued Examination (RCE) transmitted on 08/09/2010. Claims 1-11 have been canceled and claims 12-17 are newly added claims. Claims 12-17 are pending claims in this action.

Response to Arguments

3. Applicant's arguments with respect to claims 12-17 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 08/28/2008 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnard et al. (hereinafter Barnard) (US Pub. No. 2003/0005100 A1).
6. As to claims 1-11, (Canceled).
7. In choice of compact prosecution, Examiner has chosen particularly relevant prior art to apply, even though the breadth of the claims is such that, non-relevant, well known and widely implemented methodologies were evident at the time the invention was made, and could be used for claim rejection.
8. As to claim 12, Barnard discloses a network system, comprising: a plurality of devices connected to a network (Fig. 1) (see at least ¶ (0009), wherein managing plurality of network devices connected to the network management device over a network), each of the plurality of devices transmitting and receiving data through the network (see at least ¶¶ (0010, 0011), wherein network device send and receive information messages); and a managing device configured to control the network and to manage state information used for controlling the network (see at least ¶¶ (0011, 0012), wherein the multiple network management devices to

manage and detect all network devices on the network), wherein when a new device is connected to the network (see at least ¶ (0009), **automatically detection of each new network device on the network**), the managing device determines whether or not the new device is to be a new managing device, and if the new device is determined to be the new managing device, the managing device transmits the managed state information to the new device (Fig. 21) (see at least ¶¶ (0009-0014), wherein upon detection of new device, the network management device associated with new device obtain configuration information and capabilities information regarding the detected network device for management of plurality of network devices over a network).

9. As to claim13, Barnard discloses the network system according to claim 12, wherein when the new device receives the state information, the new device controls the network based on the received state information (see at least ¶¶ (0065, 0067)).

10. As to claim14, Barnard discloses the network system according to claim 12, wherein when the new device is connected to the network, the new device transmits an address of the new device to the managing device (see at least ¶¶ (0010, 0011)).

11. As to claim15, Barnard discloses a method for configuring a network comprising: entering, by a new device, into the network, wherein a plurality of devices is connected to the network (Fig. 1) (see at least ¶ (0009), wherein **managing plurality of network devices connected to the network management device over a network**) and each of the plurality of

devices transmits and receives data through the network (see at least ¶¶ (0010, 0011), wherein **network devices send and receive information messages**); determining, by a managing device, whether or not a new device is to be a new managing device, wherein the managing device controls the network and manages state information used for controlling the network (see at least ¶¶ (0011, 0012), wherein **the multiple network management devices to manage and detect all network devices on the network**); and transmitting, by the managing device, the managed state information to the entered new device when the new device is determined to be the managing device (Fig. 21) (see at least ¶¶ (0009-0014), wherein **upon detection of new device, the network management device associated with new device obtain configuration information and capabilities information regarding the detected network device for management of plurality of network devices over a network**).

12. As to claim16, Barnard discloses the method according to claim 15, further comprising: controlling, by the new device, the network based on the received state information (see at least ¶¶ (0065, 0067)).

13. As to claim17, Barnard discloses the method according to claim 15, further comprising: transmitting, by the new device, an address of the new device to the managing device (see at least ¶¶ (0010, 0011)).

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to UMAR CHEEMA whose telephone number is (571)270-3037. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Jr. Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/U. C./
Examiner, Art Unit 2444

/Peling A Shaw/
Primary Examiner, Art Unit 2444